

MINUTES OF THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

ELISHA SHEPHERD vs. MILTON J. JAKEWAY, ET AL.

BEFORE THE HONORABLE JAMES K. SINGLETON CASE NO. 3:01-cv-00333-JKS

DEPUTY CLERK/RECORDER: APRIL KARPER

APPEARANCES: PLAINTIFF: LEROY DEVEAUX / YALE METZGER

DEFENDANT: SUSAN LINDQUIST / PATRICK GARY

PROCEEDINGS: TRIAL BY JURY - DAY 3 HELD NOVEMBER 29, 2006:

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At 9:07 a.m. court convened without the jury panel present.

Court and counsel heard re trial schedule and defendant's exhibit D-2.

Plaintiff's oral motion to **ADMIT** plaintiff's exhibits P-9, P-10, P-11, P-12, P-14, and P-15; **GRANTED**.

At 9:32 a.m. the jury panel entered the courtroom.

Milton John Jakeway sworn and testified on behalf of the plaintiff.

At 9:56 a.m. the jury panel exited the courtroom.

Court and counsel heard re witness testimony.

At 10:02 a.m. the jury panel entered the courtroom.

Milton John Jakeway resumed the stand and testified further on behalf of the plaintiff.

At 10:20 a.m. the jury panel exited the courtroom.

Court and counsel heard re witness statement and the 4<sup>th</sup> Amendment.

At 10:25 a.m. the jury panel entered the courtroom.

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Court instructed jury panel re witness testimony, the 4<sup>th</sup> Amendment, and constitutional law.

Milton John Jakeway resumed the stand and testified further on behalf of the plaintiff.

At 10:34 a.m. court recessed until 10:51 a.m. without the jury panel present.

At 10:52 a.m. the jury panel entered the courtroom.

Milton John Jakeway resumed the stand and testified further on behalf of the plaintiff.

At 11:21 a.m. the jury panel exited the courtroom.

Court and counsel heard re witness testimony.

At 11:31 a.m. the jury panel entered the courtroom.

Milton John Jakeway resumed the stand and testified further on behalf of the plaintiff.

At 11:38 a.m. the jury panel exited the courtroom.

Court and counsel heard re witness testimony, depositions, and expert witnesses.

At 12:11 p.m. court recessed until 1:38 p.m. without the jury panel present.

At 1:40 p.m. the jury panel entered the courtroom.

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David Joseph Sperbeck sworn and testified on behalf of the defendant as an expert. Defendant's exhibit D-12 **IDENTIFIED.**

At 2:44 p.m. court recessed until 2:56 p.m. without the jury panel present.

At 2:58 p.m. the jury panel entered the courtroom.

David Joseph Sperbeck resumed that stand and testified further on behalf of the defendant as an expert. Plaintiff's exhibit P-13 **IDENTIFIED.**

David C. Kuhns sworn and testified on behalf of the defendant. Defendant's exhibit D-8 **IDENTIFIED.**

John T. Maltas sworn as reader for deposition testimony of David D. Sandberg on behalf of the defendant.

At 4:49 p.m. the jury panel exited the courtroom to reconvene Thursday, November 30, 2006 at 9:00 a.m.

Court and counsel heard re witness testimony.

At 4:51 p.m. court recessed this matter to reconvene **Thursday, November 30, 2006 at 9:00 a.m.**

DATE: November 29, 2006 DEPUTY CLERK'S INITIALS: ak